SUMMARY
Solid Waste Site Suitability Rule Revision
October 12, 2005
12:30 p.m.

Division of Geology and Land Survey
111 Fairgrounds Road
Annex Conference Room
Rolla, MO

In Attendance:

Rob Bloese, Allied Waste
Glenn O'Bryan, Genesis Solid Waste Group
Mark Haddock, Assoc. of Engineering Geologists & Golder Associates
Tom Aley, Ozark Underground Lab
Belinda & Ed Harris, State Representative-110th District
Erick Roberts, City of Springfield, Solid Waste District
Karl Finke, Association of Engineering Geologists-St. Louis
John Bognar, American Institute of Professional Engineers & Leggette, Brashears and Graham
Steve Jeffery, Thompson & Coburn
Tim Duggan, Missouri Attorney General's Office
Tom Sager, Concerned Citizen
Gary Pendergrass, Springfield City Utilities
Jerry Bindel, Associated Electric Cooperative
Paul Pike, AmerenUE
Tom Gredell, Gredell Engineering, American Council of Engineering Companies of MO
Keith Wenzel, Hendren and Andrae
Lynda & Tim Roehl, South Central Solid Waste Management District
Doug Doerr, Aquaterra Env. Solutions
Wayne Henke, State Representative-11th District
Bob May, State Representative-149th District
Bill Upmon, Waste Management of Missouri
John Brockman, IESI
Mark Russell, Shaw Environmental, Inc.
Carla Klein, Sierra Club
Charlie Schlottach, State Representative-111th District
Alice Geller, Department of Natural Resources
Jim Hull, Solid Waste Management Program, DNR
Beth Marsala, Solid Waste Management Program, DNR
Darleen Groner, Hazardous Waste Program, DNR
Bill Duley, Division of Geology and Land Survey, DNR
Steve Sturgess, Division of Geology and Land Survey, DNR
Peter Price, Division of Geology and Land Survey, DNR
Joe Gillman, Division of Geology and Land Survey, DNR
Mimi Garstang, Division of Geology and Land Survey, DNR

Site Investigation Rulemaking Workgroup
Notes
October 12, 2005

These notes reflect comments, suggestions, observations, questions, posted on flip charts during the meeting. The draft rule language used during this meeting was the September 28, 2005 draft.

Parking Lot

- Need statewide policy discussion on solid waste management
- If a site is not suitable, it necessitates other requirements such as bonding, etc.
- How do we handle differing professional opinions on suitability? What is the role of data – or lack of it – for the PSI?

General comments

Disconnect between the 3 levels of criteria and being able to mitigate a site through engineering.

How would past sites fare using the 3 levels (in the PSA)?

The "fatal" flaws are general, may not need them for the PSI

Some criteria are general…suggest using performance specifications

Preliminary site investigations dependent on the amount of information available

Several did not like the "fatal" flaw approach

The list of A through H (the unsuitable list) could be listed as items that GSP is very concerned about that must be addressed in DSI.

The process can still move to the DSI based on owner discretion.

New items to consider: seismic impact zone, 100 year floodplains, wetlands. Are these included in other areas of the rule or law? Do they need to be included with PSI, DSI to be clear?

Comments on DRAFT of rulemaking language

Appendix 1 may need to be changed, depending on what kept as rule language.

(1)(A)

GSP "shall" (change to "may") make one of the following

Include "sites that are known to have or demonstrated the criteria listed for the PSI"

Need to add that an applicant can provide any gathered data to assist with the PSI.

(1)(A) 1.

Don't use the word "suitable", use heightened need for investigation or scrutiny

(1)(A) 1. A.

The landfill has not been designed, so don't know the depth to or if there is a seasonal high water table higher than the proposed base of the landfill. Recommend dropping A. or stating that approval is based on the design above a seasonal high water table.

Use a more descriptive word than high water table – such as quantifying permeability. Need to check definitions of rule to see if high water table is defined.

(1)(A) 1. B.

As with previous, without the design completed, the base is unknown. Also, groundwater table levels can change. Suggest dropping B., or address degree of seepage, a low degree can be pumped while a high degree is more expensive to pump. Use risk base assessment or base the risk on catastrophic collapse. Use 30 years post closure as the target.

(1)(A) 1. C.

Include more than domestic drinking water as a use…include other beneficial uses.

Further define karst features to be those that have direct discharge to surface water.

Define karst features. Is the definition included with the rule definitions?

Add "known" to karst features

Hydrological connectivity likely detected through dye trace

Which is of concern, a karst feature in the landfill site, or the landfill's footprint?

(1)(A) 1. D.

Define permeable. Use performance standards for permeability – although this type of data may not be available for a site during the PSI. However, some larger companies may have this type of information.

What is the relationship of permeability to the base of the landfill?

Suggest dropping “Permeable geologic units” starting sentence with “Joints…”

(1)(A) 1. E.

Define parameters for barrier

Use the terms hydrogeology or geohydrology consistently throughout (currently the draft language switches between the two)

This item should be used to exclude a site…it would go better on the suitable list.

Some like this as it is.

(1)(A) 1. F.

OK

(1)(A) 1. G.

Add “for sanitary landfills”. Define monitor and effective.

Groundwater and or leachate cannot be monitored

(1)(A) H.

What amount constitutes a collapse: 2 feet, any feet or inches, 10 feet?

What about mines?

This item is ok

(1)(A) 2.

Why give conditional approval? Either approve or deny. Drop (1)(A) 2.

Use conditional denial (rather than conditional approval)

Needs wordsmithing to get rid of redundant words

If this item is dropped, keep that GSP will assist the applicant in identifying geologic and hydrologic conditions that must be fully characterized….

(1)(A) 3.

Since the site is ideal, make sure none of the items could cause harm

(1)(A) 3. B.

May need to include cyclothemic deposits/low permeability

Add after non-potable "or discharges to surface water"

Question the item assuming 360 gallons per day. Some houses with less than 3.5 people, use less than 360 gallons per day. Use instead "not available for use"

Could use RBCA type language

Gather zone, another parameter that could be looked at.

(2)(A) 2.

Drop last sentence "Under no circumstance shall approval be granted to a site that has a condition specified as unsuitable pursuant to 10 CSR 80-2.015 (1)(A)1."

This provision needs to be discussed further after seeing what the next draft version of the rule language looks like.